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C O N F I D E N T I A L SECTION 01 OF 02 MINSK 000788

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E.O. 12958: DECL: 09/13/2017

TAGS: [PGOV](#) [PHUM](#) [BO](#)

SUBJECT: 17-YEAR OLD YOUTH LEADER FINED, NOT IMPRISONED

REF: A. MINSK 724

[1](#)B. 06 MINSK 1166

[1](#)C. MINSK 457

[1](#)D. MINSK 754

Classified By: Ambassador Karen Stewart for reason 1.4(d).

Summary

[1](#)1. (C) After hearing possibly coerced testimony, a Belarusian court recently fined 17-year-old opposition youth leader Yaroslav Grishchenya USD 435 for running an unregistered organization. Outside the trial, police forcibly detained 24 protesters, including a prominent opposition youth leader who was later sentenced to 17 days in jail. At an Embassy-hosted concert for Belarusian underground and opposition musicians, Grishchenya's supporters described the trial and police heavy-handedness as part of a broader pattern of GOB repression. End summary.

Youth Activist Splits Legal Hairs But Stands on Principle

[1](#)2. (SBU) On September 11, a court in the western city of Baranovichi convicted 17-year-old opposition youth organization Malady Front (MF) activist Yaroslav Grishcheya on politically motivated charges of running and/or acting on behalf of an unregistered organization (ref A). Despite the prosecutor's request for a one-year suspended jail sentence, the judge fined Grishchenya USD 435. During the proceedings, which were observed by Poloff and a representative from the Swedish Helsinki Committee, Grishchenya admitted to being MF's Baranovichi coordinator for more than a year. However, he insisted that his organization of several pro-democracy demonstrations had not been in his MF leadership capacity, but merely as an individual. Nevertheless, he argued unequivocally that he had the right to lead demonstrations as an MF leader because the law under which he was charged violated Belarus' constitution and international law.

GOB Answers with Repression: Subtle...

[1](#)3. (SBU) Throughout the trial, which was also attended by MF supporter and "For Freedom" movement leader Aleksandr Milinkevich, the judge's demeanor was somewhat belligerent as he and the prosecutor grilled eight 14-17-year-old MF activists called as witnesses about apparent discrepancies between their discovery-phase written depositions and courtroom testimony. The judge even taunted one 15-year-old for not testifying in Belarusian in spite of MF's emphasis on promoting the Belarusian language's use. When confronted

with such discrepancies, most witnesses responded, "I don't remember." One activist, however, asserted that authorities had pressured him to sign his deposition after lengthy interrogation.

And Not So Subtle

¶4. (SBU) Outside the courtroom, police repression was more self-evident as SWAT teams forcibly arrested 21 MF activists, including MF founder Pavel Severinets and MF president Dmitriy Fedaruk, and three independent journalists. Except Severinets, authorities released all detainees, who face charges of participating in an unsanctioned demonstration. During Severinets' arraignment, observed by Poloff during a recess in Grishchenya's trial, the MF founder refused to offer a plea on the grounds that Belarus had no legitimate judicial system. The court sentenced Severinets to 17 days in jail for participating in an unsanctioned demonstration and disorderly conduct.

"A Night without Repression"

¶5. (C) We spoke with several MF leaders at "Ambasovishcha," a Belarusian music concert hosted at Ambassador's residence. When Ambassador contrasted the police's harsh treatment of MF demonstrators in Baranovichi to their relatively placid response during the 2006 trial of MF leader Dmitriy Dashkevich (ref B), Fedaruk confirmed that the authorities had steadily been ratcheting up their level of violence during MF courthouse protests. MF Press Secretary Boris Goretskiy speculated that the police's tactics would have been more aggressive and Grishchenya's punishment more severe without the presence of international observers. The young

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opposition leaders offered their sincerest thanks to the Embassy and the USG for attending the trials and for the concert, which they called "one night without politics and repression."

Comment

¶6. (C) We expected Grishchenya to be fined instead of being imprisoned for up to two years, as is allowed by GOB law. Grishchenya's punishment fits the pattern of recent sentences against MF activists for the same charge (refs C and D). However, there also appears to be emerging another pattern of GOB repression against MF leaders -- quick, heavy-handed arrests followed by shorter jail sentences on misdemeanor charges. We will continue to make our presence known at such lower-profile trials as well.

¶7. (C) Irina Vidanova, editor of the youth publication CDMag, told Acting Pol/Econ Chief that the average urban youth associates Malady Front with danger -- an impression repeatedly reinforced by state television. Clearly the GOB could not afford repeats of the unimpeded demonstrations in support of Dashkevich altering this view.

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